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April 7, 2005

Honorable Michael L. Orenstein
United States Magistrate Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

U.S. DISTRICT COURT E.D.N.Y.
LONG ISLAND OFFICE

4/7/05
conference cancelled
So Ordered

Re: Achtman v Lippman, et al.
USDC, EDNY
CV-04-2786
(Wexler, J)
(Orenstein, M., MJ)
Our File No. 04116

USMJ

Dear Magistrate Judge Orenstein:

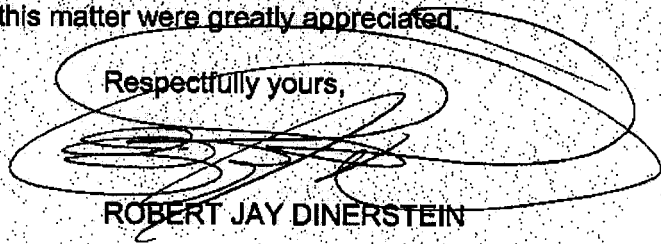
Please be hereby advised that predicated upon the discussions had in the last conference in the captioned matter the plaintiff has consented to a Rule 41 dismissal without prejudice.

A Rule 41 Dismissal is being forwarded to adversary counsel for execution and I would anticipate that it will be submitted to be so ordered within the next few weeks.

Presumably, under the circumstances there is no need for the further conference scheduled in this matter.

The court's comments and observations in this matter were greatly appreciated.

Respectfully yours,



ROBERT JAY DINERSTEIN

RJD:ez

cc: Michael Colodner, Esq.